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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

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STATE TREASURER

## **TREASURER PERMITS SALE/USE OF HIGH-SULFUR DIESEL FUEL AND WINTER-FORMULA GASOLINE THROUGH SEPTEMBER 15, 2005.**

Hurricane Katrina has disrupted the production and refining of oil and gas in the Gulf Coast region of the United States and affected the fuel supply elsewhere in the country. To assist in ensuring the availability of fuel for motor vehicles:

- The U.S. Environmental Protection Agency ("EPA") has issued a nationwide emergency fuel waiver that allows regulated parties to supply and market winter-formula gasoline and high-sulfur diesel fuel (sulfur content higher than 500 parts per million) for on-road use without the risk of EPA penalties. This waiver will be in effect for the entire country from August 31, 2005 through September 15, 2005.
- Governor Granholm has declared a State of Energy Emergency in Michigan, and issued Executive Order No. 2005-20 suspending provisions of Sections 121 and 122 of the Motor Fuel Act, 2000 PA 403, MCL 207.1121 and 1122. This Executive Order temporarily permits, through September 15, 2005, the sale of dyed diesel fuel for use on Michigan public highways and the use of dyed diesel fuel on Michigan public highways. Executive Order No. 2005-20 specifically notes the requirement that state taxes be paid.

In view of the State of Energy Emergency in the State of Michigan declared by Governor Granholm, the Executive Orders issued by Governor Granholm, and to support the actions taken by the EPA in response to the affect of Hurricane Katrina on the nation's fuel supply, Michigan's Treasurer Jay Rising deems that additional measures are appropriate to protect the health, safety and welfare of Michigan residents and visitors.

Accordingly, pursuant to the authority granted under MCL 207.1124(1), **Treasurer Jay Rising announces that:**

**the provisions of Section 124 of the Motor Fuel Tax Act, 2000 PA 403, MCL 207.1124, imposing ASTM standards for motor fuel and prohibiting the transport, sale or use of diesel fuel with a sulfur content in excess of 500 parts per million or winter-formula gasoline for use on the public highways of Michigan, are suspended for the period of August 31, 2005 through September 15, 2005.**

This action means that, through September 15, 2005, high-sulfur diesel fuel and winter-formula gasoline may be transported, sold for use on, and used on Michigan public highways.

The Department will be providing further instruction concerning the reporting and payment of Michigan tax on dyed/high sulfur diesel fuel sold for use or used on Michigan highways.